

Attorney Docket No. 1836

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Suttner et al.

Date: April 28, 2004

Serial No.: 10/768,430

Group Art Unit:

Filed: January 30, 2004

Examiner:

For: Soybean Variety XB59U04

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**FILING OF AN INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(b)**

The attached list of citations on PTO Form 1449 is being submitted under the provisions of 37 C.F.R. §1.56 and §1.97(b) in order to comply with the duty of disclosure. Their inclusion herein should not, however, be construed as an admission that any particular cited reference is effective prior art or that it discloses or renders obvious any aspect of the claimed invention. A copy of each cited reference is enclosed, except for those references which are already part of the filewrapper. This statement is being filed within the time period specified in 37 C.F.R. §1.97(b). No fee is required.

Respectfully submitted,



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Form PTO-1449 U.S. Department of Commerce Patent and Trademark Office INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use several sheets if necessary)</i>	ATTORNEY DOCKET NO. 1836	SERIAL NO. 10/768,430
	APPLICANT Suttner et al.	
	FILING DATE January 30, 2004	GROUP

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	A1	6,605,757	8/12/2003	John D. Hicks			12/22/2000
	A2	5,973,234	10/26/1999	Mueller et al.			2/13/1998
	A3	6,147,283	11/14/2000	John D. Hicks			1/29/1999

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No

OTHER DOCUMENTS *(Including Author, Title, Date Pertinent Pages, Etc.)*

	A4	Plant Variety Protection Certificate No. 200200102 for Soybean 95B42, issued May 2, 2002
	A5	Plant Variety Protection Certificate No. 200000045 for Soybean 95B53, issued April 24, 2001
	A6	Plant Variety Protection Certificate No. 200100072 for Soybean 95B96, issued February 5, 2002
	A7	Plant Variety Protection Certificate No. 9900100 for Soybean 95B33, issued October 27, 2000

U.S. PATENT APPLICATIONS

CITED PATENT APPLICATIONS				
Examiner Initials	Cite No.	U.S. Patent Application Serial Number	Filing Date of Cited Application MM-DD-YYYY	Name of Applicant of Cited Application
	A8	10/271,208	10/15/2002	John D. Hicks (DO NOT PUBLISH)
	A9	10/768,427	1/30/2004	John D. Hicks (DO NOT PUBLISH)
EXAMINER			DATE CONSIDERED	
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.				



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2. Form PTO-1449 Information Disclosure Statement By Applicant (1 copy)
3. 7 References (1 copy of each)
4. Postcard

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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